

ZB# 00-09

Execucorp / Finkelstein

4-3-2.221

00-09-Execucorp/Jinkelstein

Sign

4-3-2,221.

Prelin.

Mar. 27, 2000

~~Public Hearing:~~

April 24, 2000

Refund:

\$389.50

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Exemption/FMKL

FILE# 00-09

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

INTERPRETATION: \$150.00

AREA _____

USE _____

APPLICATION FOR VARIANCE FEE \$ 150.00

paid
ck # 223229.

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 500.00

paid
4/6/00.

DISBURSEMENTS:

ck # 223230.

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 3/27/00 - 3 \$ 13.50

2ND PRELIMINARY- PER PAGE 4/10/00 - 6 \$ 27.00

3RD PRELIMINARY- PER PAGE \$ _____

PUBLIC HEARING - PER PAGE \$ _____

PUBLIC HEARING (CONT'D) PER PAGE \$ _____

TOTAL \$ 40.50

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: 3/27/00 \$ 35.00

2ND PRELIM. 4/10/00 \$ 35.00

3RD PRELIM. \$ _____

PUBLIC HEARING \$ _____

PUBLIC HEARING (CONT'D) \$ _____

TOTAL \$ 70.00

MISC. CHARGES:

..... \$ _____

TOTAL \$ 110.50

LESS ESCROW DEPOSIT \$ 500.00

(ADDL. CHARGES DUE) \$ _____

REFUND DUE TO APPLICANT. \$ 389.50

Date 3/8 1900

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

TO Finkelstein Levine Gittlesohn Partners DR.
436 Robinson Avenue, Newburgh, NY 12550

[illegible]



436 ROBINSON AVENUE
NEWBURGH, NY 12550

THE BANK OF NEW YORK/MID-HUDSON REGION
NEWBURGH, NEW YORK 12550

Check Number: 223229

3/30/00

\$150.00

PAY ONE HUNDRED FIFTY AND NO/100

DOLLARS

MANAGEMENT ACCOUNT

VOID AFTER 180 DAYS

TO
THE
ORDER
OF

TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, NY 12553

AUTHORIZED SIGNATURE

ZBA * 00-09.

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW
⑈ 223229⑈ ⑆ 021902352⑆ ⑈ 0225018605⑈



436 ROBINSON AVENUE
NEWBURGH, NY 12550

THE BANK OF NEW YORK/MID-HUDSON REGION
NEWBURGH, NEW YORK 12550

Check Number: 223230

3/30/00

\$500.00

PAY FIVE HUNDRED AND NO/100

DOLLARS

MANAGEMENT ACCOUNT

VOID AFTER 180 DAYS

TO
THE
ORDER
OF

TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, NY 12553

AUTHORIZED SIGNATURE

ZBA - 00-09.

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW
⑈ 223230⑈ ⑆ 021902352⑆ ⑈ 0225018605⑈

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING
SIGN AREA VARIANCE

EXECUCORP/FINKELSTEIN, ET AL

#00-09.

WHEREAS, EXECUCORP, located on Executive Drive, New Windsor, N.Y. 12553, as owner, and FINKELSTEIN, LEVINE, GITTELSON PARNTERS, 436 Robinson Avenue, Newburgh, N. Y. 12550, lessee, have made application before the Zoning Board of Appeals for a 48 sq. ft. freestanding sign in variation of Section 48-18H(1)(a) of the Supplemental Sign Regulations to permit one additional sign to be located at 103 Executive Drive in a PI zone; and

WHEREAS, a public hearing was held on the 24th day of April, 2000 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Joseph P. Rones, Esq. appeared in behalf of applicant, Finkelstein, Levine, Gittelsohn Partners and Peter Vonn appeared in behalf of Execucorp; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to this Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a commercial property located adjacent to other commercial properties on a busy state highway.

(b) The Applicant Execucorp's building is a multi-tenant commercial building in which it is proposed that the Finkelstein applicant become a tenant.

(c) The Finkelstein applicant is an law firm specializing in personal injury law.

(d) The proposal is to allow the Finkelstein applicant to place a single, freestanding sign outside the building so as to alert its clients. There is an existing, smaller ladder sign advertising the existence of the other tenants in the building. Mr. Vonn, on behalf of Execucorp, advises that the other tenants in the building have consented to the Finkelstein tenant having its own sign.

(e) The construction of the building is such that the building will mesh with and blend into its background thus creating a visibility problem for any sign.

(f) The building is constructed in such a way so as not to permit signs on the building itself. The Town Zoning Local Law allows building signs so the Applicant, Finkelstein, would be surrendering its right to have a sign on the building if the requested sign variance is granted.

(g) Because of the location of the building, the Applicant would be entitled to two free-standing signs, only one sign is sought in this application.

(h) Because of the amount of space to be occupied and the nature of the Applicant, Finkelstein's business, it is likely that more than one sign on the building itself would be permitted.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variance requested is substantial in relation to the Town regulations but nevertheless is warranted for the reasons listed above.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variance is appropriate and is the minimum variance necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance.

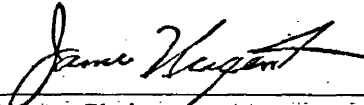
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for one additional 48 sq. ft. freestanding sign in variation of Section 48-18H(1)(a) of the Supplemental Sign Regulations to permit a sign at 103 Executive Drive in a PI zone.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: June 26, 2000.


Chairman

Date 5/4/00, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
..... Newburgh, N.Y. 12550

| DATE | | | CLAIMED | ALLOWED |
|---------|----------------------------|--|---------------|---------|
| 4/24/00 | Zoning Board Mtg | | 75 00 | |
| | Misc - 3 | | | |
| | U.G. R. Assoc. - 7 | | | |
| | Defeo - 11 | | | |
| | Schwartz - 7 | | | |
| | Executives/Finkelstein - 6 | | | |
| | <u>34</u> | | 153 00 | |
| | | | <u>228 00</u> | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

PUBLIC HEARING:

EXECUCORP/FINKELSTEIN

MR. NUGENT: Request for one additional 48 square foot freestanding sign in variation of Section 48-18H(1)(a) of the Supplemental Sign Regulations to permit a sign at 103 Executive Drive in a PI zone.

Joseph Rones, Esq. and Mr. Peter Vaughn appeared before the board for this proposal.

MR. NUGENT: Let the record show there's no one in the audience. Nobody cares about what you're doing.

MR. RONES: My name is Joe Rones and I represent one of the applicants, the Finkelstein Law Firm. With me is Peter Vaughn, who's one of the owners of the property. The Finkelstein firm is going to be leasing some space in the building the current signage is really not particularly visible from the road. I included some pictures with the application but I have some blowups here and as you can see that's looking from the same perspective, this one is looking west on Route 207 and those two are looking east and that sign is illuminated at night but it's really not visible. Mr. Vaughn's other tenants have an operation where it's not particularly necessary to have more visibility, however, our marketing plan is somewhat different and we require more visibility. We have many clients who are coming to our office who are disabled, who have been in an accident of one sort or another and that's brought them to us and we feel that not being able to readily identify the curb cut is just not a good thing for a particular kind of a situation. Actually, both Executive Drive, this building is at the corner of Executive Drive which I understand is a dedicated town road and Route 207 slash 300, so I believe if the sign were to, if one of those signs were to face out on Route 207 and the other one face onto Executive Drive, there really wouldn't be a problem, that those two signs would be permitted. However, in this case, both signs are going to be actually facing Executive Drive, so that cars traveling east and west on 207 could see it. The benefit to the applicant is for the visibility

and the identification of our office and the variance, it's an area variance, basically, so that wouldn't produce any undesirable change in the character of the neighborhood. There are basically just some other commercial uses along this stretch of road and as you can see from the pictures, a signage, additional signage in that area.

MR. NUGENT: Where is that sign going?

MR. RONES: That sign is going to go just to the west of the existing ENAP sign, so if we were to take a look at this view, this here is the ENAP sign and the additional sign would go just to the west of it.

MR. TORLEY: Why can't you stack them on top, one sign with two names or more?

MR. RONES: We don't have any control over the ENAP sign.

MR. TORLEY: You're the owner of the building so you as the owner of the building--

MR. KRIEGER: He was about to answer the question, the ENAP, apparently ENAP is not a tenant of this particular building.

MR. TORLEY: I'm sorry but you as the owner.

MR. VAUGHN: I didn't know, I asked Mr. Helmer whether he knows they have permission to put the sign there, they don't even know.

MR. VAUGHN: We have a sign out there, it's only--

MR. NUGENT: Like a ladder sign.

MR. VAUGHN: Just basically the sign is about--

MR. TORLEY: I know the sign, for the record, so you have an existing sign that defines, this is your building?

MR. VAUGHN: Correct.

MR. TORLEY: Now, why can't you, you're entitled to put a ladder sign with the names of the tenants on the building and your building is beautiful and striking architecturally and it's hard to mistake the building.

MR. RONES: Well, it's actually, the building pretty much blends into the background because depending on what time of day you're driving passed it, the surrounding foliage is reflected in the glass and so it's striking, but it really blends in very, very well. And that's another thing here is as I said really, the premises would be entitled to an existing sign anyway, it's just a matter of which way it would face because it's at the corner of 207 and Executive Drive. So we're just talking about facing both signs in the same direction so we're really not adding to the amount of signage that this premises is really entitled to.

MR. TORLEY: You have your, as the owner of the building, have the sign, why can't you put a ladder sign with the tenants on it?

MR. RONES: He's already spent money for that sign, this particular sign is going to cost us \$4,800 and the owner is not interested in spending perhaps--

MR. TORLEY: But that's not our problem.

MR. RONES: Well, no, but it's not our problem either in that what we're talking about is the benefit to the applicant or the benefit to the applicant is to have the sign and it's an area variance so we're just, I mean, compared to the amount of signage that the tire store was looking for, this is minuscule.

MR. VAUGHN: It's 4 x 6.

MR. NUGENT: My only question is the piece of property that you showed me, this sign here, do you own this piece of property?

MR. VAUGHN: Yes.

MR. NUGENT: Then this guy may not be legal.

MR. VAUGHN: Right.

MS. BARNHART: I don't ever remember anyone coming in for that.

MR. VAUGHN: It's always been there, it was there before we were even there, before we built the building and, in fact, I asked Bill Helmer the other day do you know anything about the sign, he says no.

MR. RONES: That's a sign for a different lot in any event.

MR. NUGENT: That's down back, but what I was getting at, you own the piece of property, so you can put your sign anyplace you want but when you put the sign up, is that going to block, there's--

MR. RONES: No, this sign is--

MR. KANE: Ten foot high.

MR. RONES: Yeah, it's a ten foot high sign and that's basically the way it's going to look.

MR. KANE: How far off the road were you looking to put it?

MR. RONES: It's going to be approximately 20 foot from the paved portion of the road. Well, there's no curb there but from the--

MR. REIS: Where are you in relation to the ENAP sign, Joe?

MR. NUGENT: Like in front of it.

MR. RONES: Just to the west which would be right here.

MR. REIS: How about in relation to this?

MR. RONES: Right here where that--

MR. TORLEY: What worries me, when you get new tenants

in, are we going to have people saying well, you've got a sign on the road, so I want a sign on the road, so you have four signs.

MR. VAUGHN: Well, we went through that already and I talked to all the tenants in there and at one point, we didn't allow them to put signs up at this point here, we have some vacant space, we'd like to get the tenant in and one of the requirements for them is that they have a sign outside. So I checked with every tenant and they have no objection. They're a different nature than the tenants that are in there as Mr. Rones had explained to you, their business doesn't require that kind of exposure as he would and that was the whole reason why they won't object. Marshall and Sterling, they have no problem with it.

MR. RONES: Now, there's another thing is that because of the nature of the building that you were pointing out, it doesn't lend itself to have signs on the building, if it were a different type of facade, the current ordinance would permit not only the freestanding sign, but a number of signs on the building itself. So that my argument is that because we're on a corner here of two dedicated roads, there's the entitlement to an additional freestanding sign, but we're not facing it in the way that the ordinance permits. And secondly, if the building were a different, of a different architectural design, there would be perhaps numerous signs that would be placed on and they are allowed to be placed on that building. So, in sum, the size of the variance that we're looking for is really very slight because most commercial structures would have many more signs on them but for the nature of the design of this particular building.

MR. KRIEGER: Now, Mike Babcock, the current sign ordinance would allow, never mind the architectural building, but would allow each business in there to have a facade sign?

MR. BABCOCK: That's correct, 2 1/2 foot by 10 foot, Mr. Rones is right, as far as the two freestanding signs, if you wanted to put it on Executive Drive, one on Executive Drive, he'd only need a planning board,

basically, when you go to the planning board, you're allowed, if you have entrances on two different roads and access from two different roads, you're allowed a sign on each of the roads, as long as they're within 300 feet distance apart. He's not going to be in that situation, that's why he's here tonight.

MR. REIS: How many square foot are you going to be occupying, Joe?

MR. RONES: Approximately, 4,000 square feet.

MR. REIS: We can interpret that as being two or three offices with two or three additional signages, doesn't seem--

MR. NUGENT: I don't have a problem with it.

MR. KRIEGER: Even if it were only one business, he'd be entitled to a facade sign which he doesn't have.

MR. KANE: Accept a motion?

MR. NUGENT: Yes.

MR. KANE: I move we approve the requested sign variance by Execucorp/Finkelstein.

MR. REIS: Second it.

ROLL CALL

| | |
|------------|-----|
| MR. REIS | AYE |
| MR. KANE | AYE |
| MR. TORLEY | NO |
| MR. NUGENT | AYE |

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

Prelim.
3/27/00.
#00-09.

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914)563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: March 8, 2000

APPLICANT: Lewis Sign C. LLC / *Execucorp.*
26 Fluorescent Drive
Slate Hill, NY 10973

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 3/6/2000

FOR : Finkelstein, Levine, Gittelsohn Partners(Execucorp)

LOCATED AT: 103 Executive Drive(PO Box 4292) New Windsor, New York 12553

ZONE: PI Sec/ Blk/ Lot: 4-3-2.221

DESCRIPTION OF EXISTING SITE: Executive Office Park 4-3-2.221

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1.48-18, H(1a) Freestanding Signs-for any nonresidential business site, only one freestanding sign not to exceed 64 sq ft is permitted.

Louis V. Vigneri
BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: PI USE:

SIGN:

FREESTANDING: 1-64 sq ft

1 proposed- 48 sq ft
1-Existing 64 sq ft

1 Additional-48 sq ft

HEIGHT:

WIDTH:

WALL SIGNS:

TOTAL ALL SIGNS:

FEET FROM ANY LOT LINE:



cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP

TO
RECEIVED

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

MAR 06 2000

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy must be obtained. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: 114-2000

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS REQUIRED BEFORE PERMIT WILL BE ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Execucorp

Address 103 Executive Drive Phone (914) 561-2144

Mailing Address P.O. Box 4292, New Windsor, New York 12553

Name of Architect _____

Address _____ Phone _____

Name of Contractor Lewis Sign Co. LLC

Address 26 Fluorescent Drive Slate Hill N.Y. 10973 Phone (914) 355-2651

State whether applicant is owner, lessee, agent, architect, engineer or builder lessee

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the South side of Route 207
and at (N,S,E or W) Executive Drive
feet from the intersection of at
2. Zone or use district in which premises are situated PI Is property a flood zone? Y N X
3. Tax Map Description: Section 4 Block 3 Lot 2.222
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy office bldg. b. Intended use and occupancy office bldg.
5. Nature of work (check if applicable) New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☒ sign
6. Is this a corner lot? yes
7. Dimensions of entire new construction. Front Rear Depth Height No. of stories (See Attachments)
8. If dwelling, number of dwelling units: Number of dwelling units on each floor
Number of bedrooms Baths Toilets Heating Plant: Gas Oil
Electric/Hot Air Hot Water If Garage, number of cars
9. If business, commercial or mixed occupancy, specify business offices and extend to each type of use business offices 06 2000
10. Estimated cost \$ 5228.44 Fee \$ 50.00

RECEIVED

PAID 50.00

BUILDING DEPARTMENT

____/____/____
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

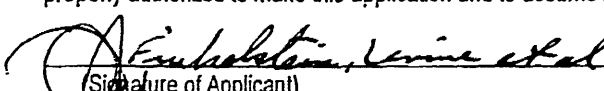
Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 563-4618
(914) 563-4693 FAX

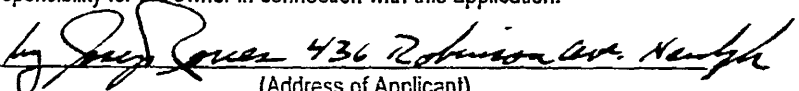
Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.


(Signature of Applicant)


(Address of Applicant)

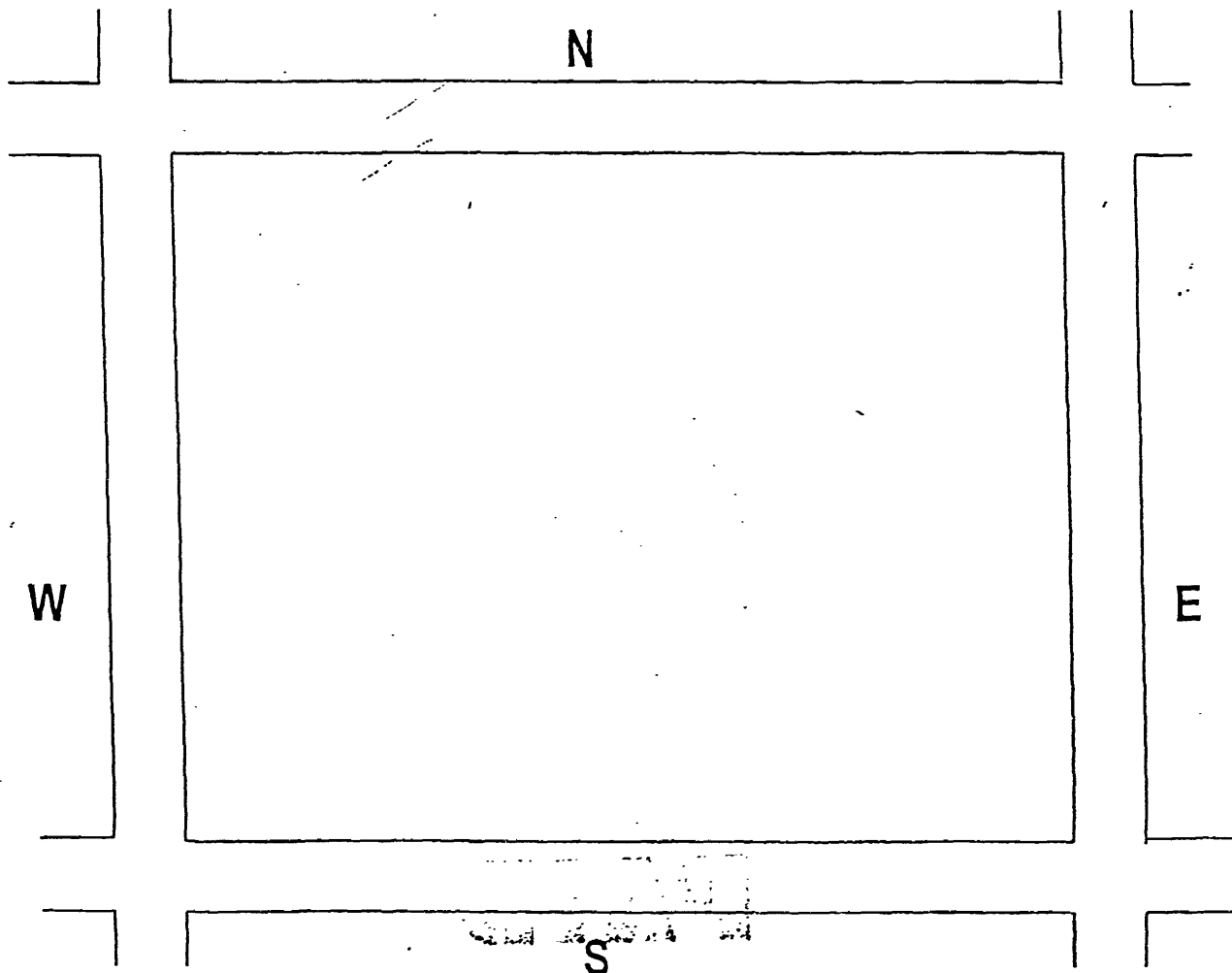

(Owner's Signature)

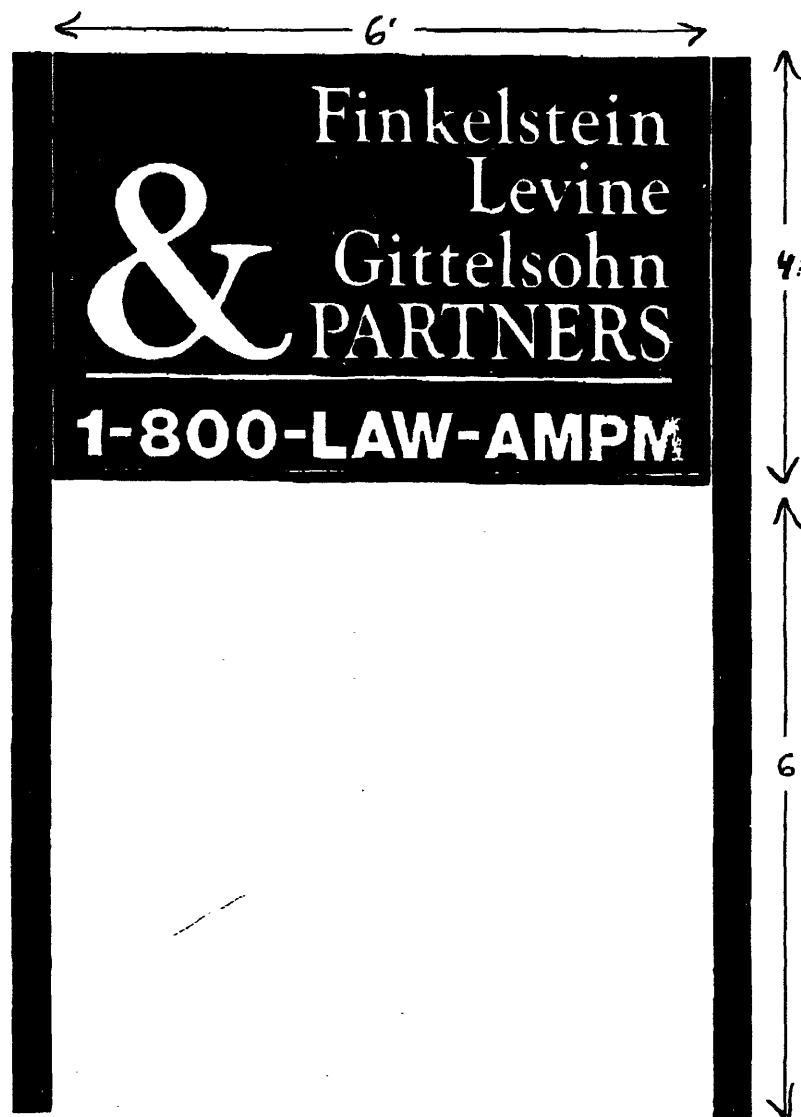

(Owner's Address)

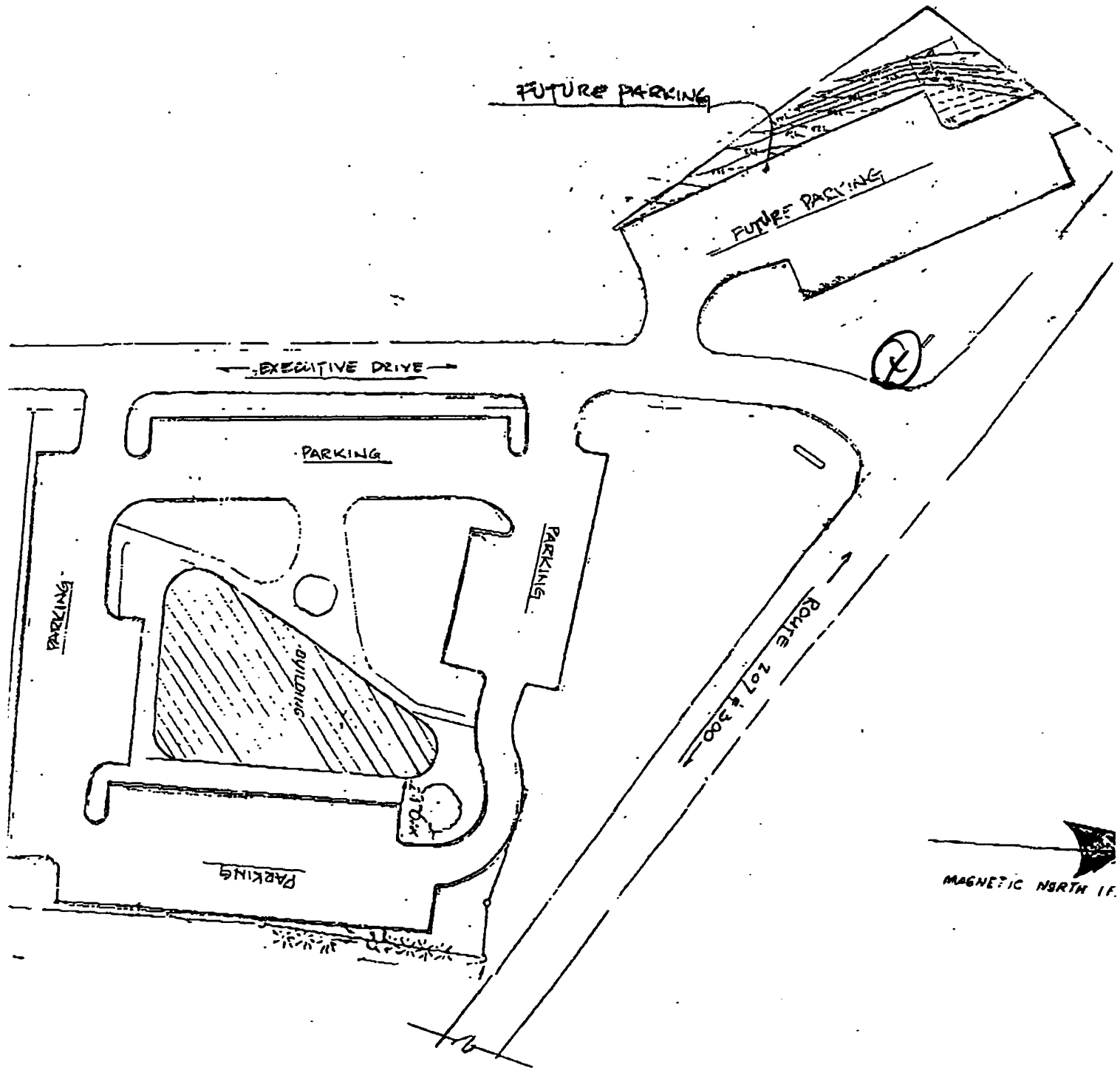
PI OT PI AN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.







103 EXECUTIVE DR.
NEW WINDSOR

SECTION

3

SECTION

32

County of Orange

7
4 A

Town of
New Windsor

8
4 A

9.1
1.2 A

9.22
1 A

9.24
1.1 A

9.48
1.1 A

9.3
1.1 A

9.21

2.1A(C)

City of
Nbg

AGRICULTURE

City of Newburgh

10
52.9A

N Y STATE HWY

300 8 207

2373 2

City of Newburgh

1.1
5.8A(C)

2.221
1.7 A

HELMEY
EXECUTIVE

2.21
2.5 A

CRONIN
DR. (PROP.)

19A
675 9

4.5
2.8 A

5.8
2.1 A

6.8
2.1 A

7.8
2.1 A

8.8
2.1 A

9.8
2.1 A

10.8
2.1 A

11.8
2.1 A

12.8
2.1 A

13.8
2.1 A

14.8
2.1 A

15.8
2.1 A

16.8
2.1 A

17.8
2.1 A

18.8
2.1 A

19.8
2.1 A

20.8
2.1 A

21.8
2.1 A

22.8
2.1 A

23.8
2.1 A

24.8
2.1 A

25.8
2.1 A

26.8
2.1 A

27.8
2.1 A

28.8
2.1 A

29.8
2.1 A

30.8
2.1 A

31.8
2.1 A

32.8
2.1 A

33.8
2.1 A

34.8
2.1 A

35.8
2.1 A

36.8
2.1 A

37.8
2.1 A

38.8
2.1 A

39.8
2.1 A

40.8
2.1 A

41.8
2.1 A

42.8
2.1 A

43.8
2.1 A

44.8
2.1 A

45.8
2.1 A

46.8
2.1 A

47.8
2.1 A

48.8
2.1 A

49.8
2.1 A

50.8
2.1 A

51.8
2.1 A

52.8
2.1 A

LIT

375.6

3455

7

3.1 A

INTERNATIONAL

GATEWAY

3895

17.4

13.7A

17.6

17.3

6.1A(C)

SUB MAP 8957

500.7

WEAVER

507

42A

17.6

6.1

17.3

6.1A(C)

SUB MAP 8957

500.7

WEAVER

507

42A

17.6

6.1

17.3

6.1A(C)

SUB MAP 8957

500.7

WEAVER

507

42A

17.6

6.1

17.3

6.1A(C)

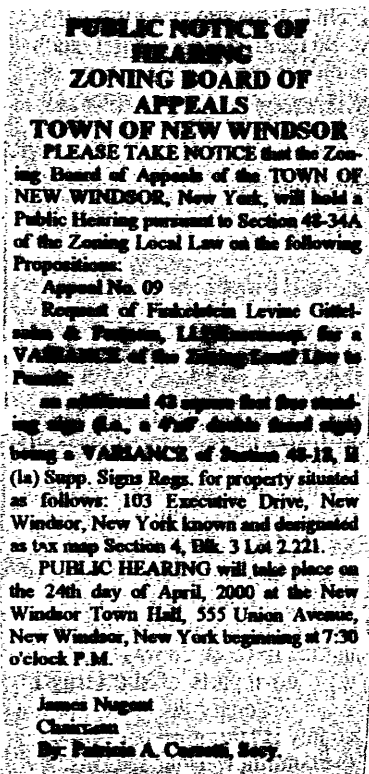
SUB MAP 8957

500.7

WEAVER

507

42A



State of New York

County of Orange, ss:

Steven Smith being duly sworn

disposes and says that he is

Vice President of the E.W. Smith

Publishing Company; Inc. publisher

of The Sentinel, a weekly newspaper

published and of general circulation

in the Town of New Windsor, Town of

Newburgh and City of Newburgh and

that the notice of which the annexed is

a true copy was published once

in said newspaper, commencing on

the 11 day of April A.D., 2000

and ending on the 11 day of April

A.D. 2000 Steven R. Smith

Subscribed and shown to before me

this 17 day of april, 2000

Mary E. Fordenbacher

Notary Public of the State of New York

County of Orange.

MARY E. FORDENBACHER
Notary Public, State of NY
Residing in Orange County
No. 4718013

My commission expires 2.28.01

Date 7/7/00, 19.....

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

| DATE | | CLAIMED | ALLOWED |
|---------|---------------------------------|---------|---------|
| 3/27/00 | New Windsor Zoning Board Mtg | 75.00 | |
| | Misc - 3 | | |
| | Fox - 4 | | |
| | Execurorp/Lewis Sign - 3 13.50. | | |
| | Ryan - 4 | | |
| | HZ Development - 4 | | |
| | 18 | 81.00 | |
| | | 156.00 | |

EXECUCORP/LEWIS SIGN

Joseph Rones, Esq. appeared before the board for this proposal.

MR. TORLEY: Request for one additional 48 square foot freestanding sign in variation of Section 48-18H(1)(a) of the Supplemental Sign Regulations for a sign at 103 Executive Drive in a PI zone.

MR. RONES: My name is Joe Rones and I have just a couple of sheets to explain what we'd like to do. I represent the Finkelstein law firm, which is on Robinson Avenue in Newburgh and we're hopefully going to be leasing some additional space at the Bill Helmer building, the glass building on Route 207. The existing sign, the lettering on the existing sign is really very small and difficult to read as one drives by and so what we would like to do in order to make sure that anybody who's been involved in a motor vehicle accident doesn't get involved in another one trying to find our office is erect an additional sign which the landlords, Execucorp, which is Mr. Bonn (phonetic) and Mr. Helmer have seen this and they consent to it. It will be basically in the vicinity of the existing ENAP sign which is for a building in the back of that subdivision. And the sign is going to be 6 feet by 4 feet double paneled and interiorly lit and that's basically the color rendering of it. It's the same coloring as our sign out on Union Avenue and the one down by our Robinson Avenue office. So that's essentially the application.

MR. TORLEY: Moving into the glass office building, number of other tenants in the office building, how many of them have individual signs on the road?

MR. RONES: None of them have individual signs.

MR. TORLEY: So why should we be granting you an individual sign as opposed to--

MR. RONES: Well, I don't know what those other people have done, what their needs are, what the nature of their business is and how many people they have coming

to visit them. But you know as I explained for our particular office operation, which caters primarily to accident victims, we need to have a higher profile so that they don't miss that, it's kind of a small curb cut really to get in there and it's not too easy to see at present; unless you're right up on the existing sign, you really can't make out who's there and who's not there. You know, this is really this kind of a building in a way and the way it's structured kind of suffers at the extra, at the hand of the zoning board and it's most of the other commercial buildings in town are configured so that the individual businesses are able to have signs mounted on the building, as well as the freestanding sign, so there wouldn't be a problem I believe under the current zoning ordinance for signs of the individual tenants to be mounted on the building. The landlord certainly wouldn't be interested in that because that disrupts the architectural features of the building. So, compared to other commercial uses in the town, the signage really isn't in addition to what you'll find on most other commercial buildings, but this is an additional freestanding sign as opposed to a sign on the building itself.

MR. MC DONALD: I have a question. The sign where you have the X right on the sheet, how far off from the driving lane is that going to be because that's a bad spot looking to the left cause you have two lanes coming off Union Avenue turning onto 207 and then what, about maybe 100 feet down from where your sign's going to be they merge into one and that, you know, and you're coming out from now most people don't even make the left-hand turn, they make a right. I'm just wondering, the sign, if it's 6 foot above, 6 foot high, is that going to be a hindrance in any way for the vehicles coming off?

MR. RONES: I don't think so but what we'll try to do for the public hearing is to maybe have some photos taken to show you what the proper relationship would be and to keep in mind your concern about preserving visibility to the intersection.

MR. MC DONALD: Too close to the roadway would be bad.

MR. RONES: My X is pretty inaccurate there, I was just trying to give you a general idea, that's not, it's certainly not to scale, my X isn't to scale.

MR. TORLEY: Guys, do you have anything else.

MR. REIS: I have no questions. I make a motion that we set up Execucorp/Lewis Sign for their required variances.

MR. MC DONALD: Second it.

ROLL CALL

| | |
|---------------|-----|
| MR. MC DONALD | AYE |
| MR. REIS | AYE |
| MR. KANE | AYE |
| MR. TORLEY | AYE |

MR. TORLEY: He's going to need a proxy, isn't he? You're acting--the landlord is the owner.

MR. KRIEGER: Landlord is the owner.

MR. RONES: No problem, I'll have--

MR. TORLEY: When you come back for the public hearing, I would like to have some more information on why this sign is necessary rather than it's a rather distinctive building where this sign is necessary versus modifying the existing sign there as a more dramatic note for the entranceway, I'd like you, I'd appreciate if you'd speak to that when you come back for the public hearing.

MR. RONES: Certainly, so all the material that I need is here.

MS. BARNHART: All of it.

MR. RONES: Thanks very much.

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(914) 583-4611

RECEIPT
#226-2000

Finkelstein, Levine and Littelsohn
00-09

04/07/2000

Received \$ 150.00 for Zoning Board Fees, on 04/07/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Hansen

Dorothy H.

Town Clerk

*Pls. publish immediately. Send bill to: Finkelstein Lawfirm
Attn: Jos. Rones, Esq.
436 Robinson Ave.
Newburgh, N.Y. 12550.*

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 09.

Request of Finkelstein Levine Gittelsohn & PARTNERS, LLP/Execucorp.

for a VARIANCE of the Zoning Local Law to Permit:

an additional 48 square feet free standing sign (i.e., a 4'x6' double faced sign)

being a VARIANCE of Section 48-18, H(1a) Supp. Sign Regs.

for property situated as follows:

103 Executive Drive, New Windsor, New York

known and designated as tax map Section 4, Blk. 3 Lot 2.221

PUBLIC HEARING will take place on the 24th day of April, 20⁰⁰ at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent.
Chairman

By: Patricia A. Corsetti, Secy.

ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR
COUNTY OF ORANGE:STATE OF NEW YORK

In the Matter of the Application for Variance of

Execucorp / Finkelschein Lawfirm
00-09.

**AFFIDAVIT OF
SERVICE
BY MAIL**

STATE OF NEW YORK)) SS.:
COUNTY OF ORANGE)

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 7th day of April, 2020, I compared the 5 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then caused the envelopes to be deposited in a U.S. Depository within the Town of New Windsor.

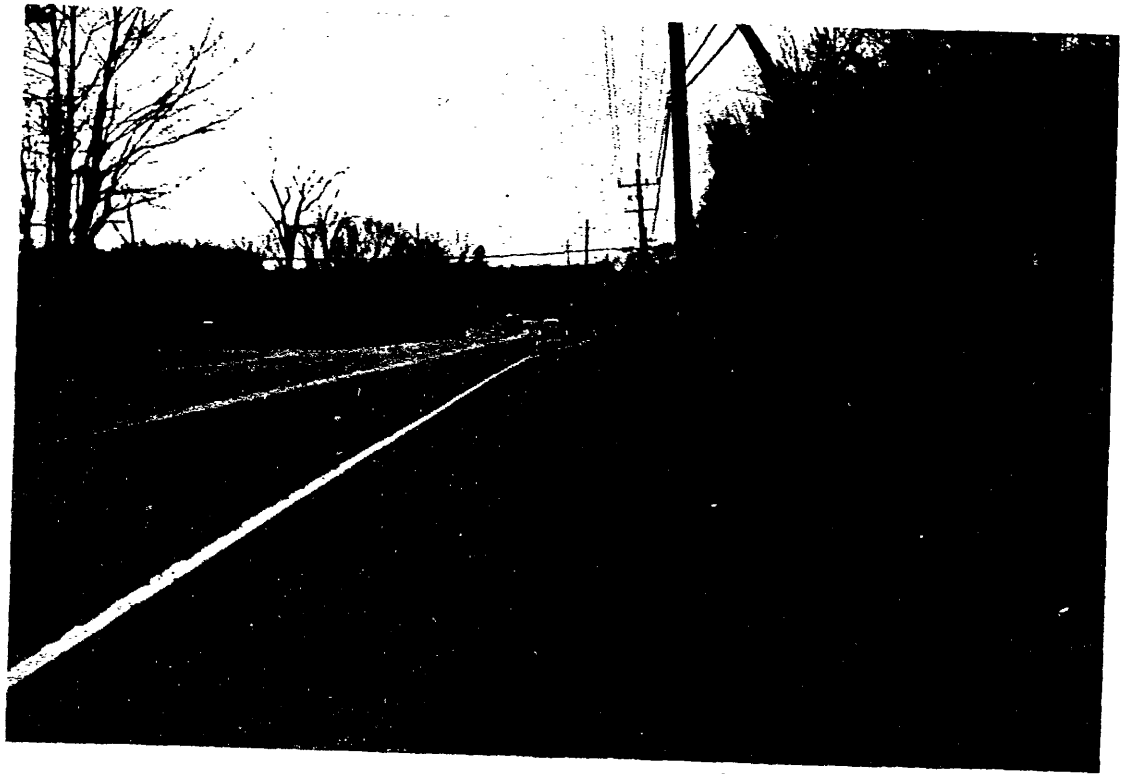
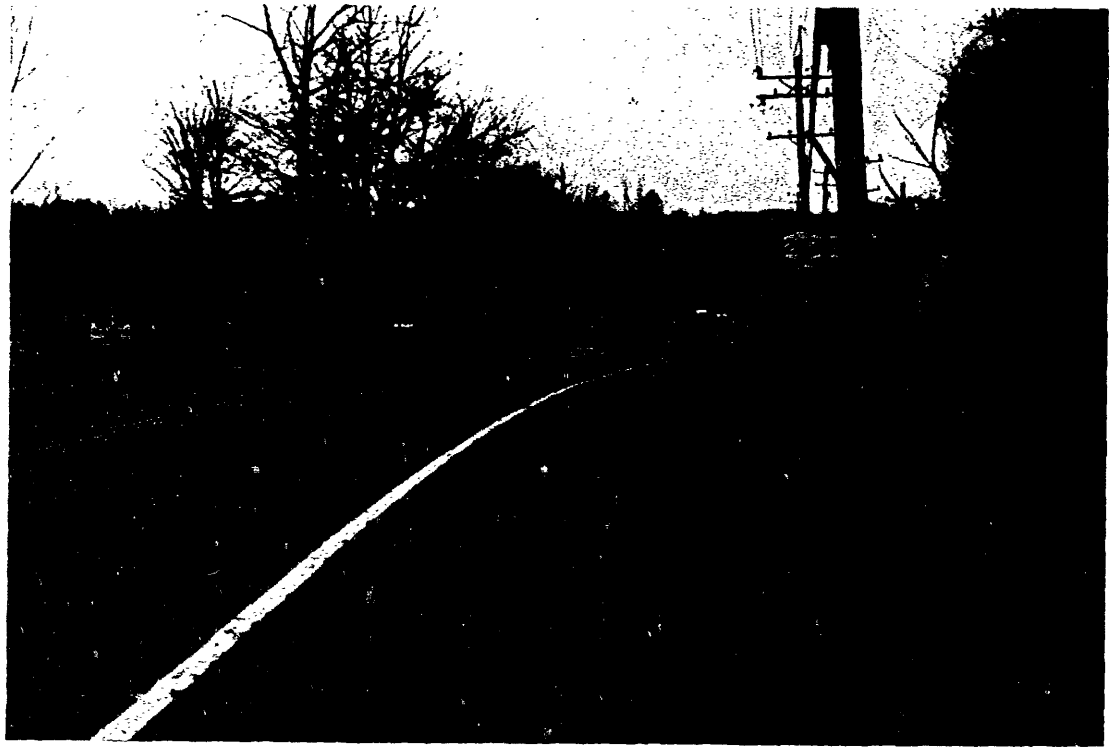
Patricia A. Corsette
~~Notary Public~~

Sworn to before me this

____ day of _____, 20____.

Notary Public





TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

00-09

Date: 4/7/00

I. ✓ Applicant Information:

- (a) EXECUCORP, P.O. Box 4292, New Windsor, New York 561-2144 X
(Name, address and phone of Applicant) (Owner)
(b) Finkelstein, Levine, et al. 436 Robinson Avenue, Newburgh 562-0203
(Name, address and phone of purchaser or lessee)
(c) Joseph P. Rones 436 Robinson Avenue, Newburgh 563-9412
(Name, address and phone of attorney)
(d) Lewis Sign Co. 26 Fluorescent Drive, Slate Hill 355-2651
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- () Use Variance (X) Sign Variance
() Area Variance () Interpretation

✓ III. Property Information:

- (a) PI 103 Executive Drive 4-3-2.221 1.73 acres
(Zone) (Address) (S B L) (Lot size)
(b) What other zones lie within 500 ft.? N/A
(c) Is a pending sale or lease subject to ZBA approval of this application? yes
(d) When was property purchased by present owner? _____
(e) Has property been subdivided previously? Yes
(f) Has property been subject of variance previously? _____
If so, when? _____
(g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? None
(h) Is there any outside storage at the property now or is any proposed? Describe in detail: _____

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes _____ No _____.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

V. Area variance: N/A

(a) Area variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

| <u>Requirements</u> | <u>Proposed or Available</u> | <u>Variance Request</u> |
|------------------------------|------------------------------|-------------------------|
| Min. Lot Area _____ | _____ | _____ |
| Min. Lot Width _____ | _____ | _____ |
| Reqd. Front Yd. _____ | _____ | _____ |
| Reqd. Side Yd. _____ | _____ | _____ |
| Reqd. Rear Yd. _____ | _____ | _____ |
| Reqd. Street Frontage* _____ | _____ | _____ |
| Max. Bldg. Hgt. _____ | _____ | _____ |
| Min. Floor Area* _____ | _____ | _____ |
| Dev. Coverage* _____ % | _____ % | _____ % |
| Floor Area Ratio** _____ | _____ | _____ |
| Parking Area _____ | _____ | _____ |

* Residential Districts only

** No-residential districts only

(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

(You may attach additional paperwork if more space is needed)

✓ VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section 1.48-18, H (1A) Supp. Sign Regs.

| | <u>Requirements</u> | <u>Proposed or Available</u> | <u>Variance Request</u> |
|--------|---------------------|------------------------------|-------------------------|
| Sign 1 | _____ | _____ | 48 sq. ft. |
| Sign | _____ | _____ | _____ |
| Sign 3 | _____ | _____ | _____ |
| Sign | _____ | _____ | _____ |
| | _____ | _____ | _____ |
| | _____ | _____ | _____ |

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

Existing sign has inadequate visibility for disabled clients of our law practice to properly identify our office location. The architectural appeal of the building would be adversely affected by additional building mounted signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?
64 sq. ft. free standing sign

VII. Interpretation. N/A

- (a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.
- (b) Describe in detail the proposal before the Board:
- _____
- _____
- _____
- _____
- _____

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

IX. Attachments required:

- | | |
|---|--|
| X | Copy of referral from Bldg./Zoning Insp. or Planning Bd. |
| | Copy of tax map showing adjacent properties. |
| | Copy of contract of sale, lease or franchise agreement. |
| | Copy of deed and title policy. |
| x | Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question. |
| x | Copy(ies) of sign(s) with dimensions and location. |
| x | Two (2) checks, one in the amount of \$ <u>150.00</u> and the second check in the amount of \$ <u>500.00</u> , each payable to the TOWN OF NEW WINDSOR. |
| ✓ | Photographs of existing premises from several angles. |

X. Affidavit.

Date: March 20, 2000

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

MARY LOU MANGONE
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN DUTCHESS COUNTY
COMMISSION EXPIRES MARCH 30TH, 2001

Sworn to before me this

30 day of March, 19 2000

Finkelstein, Levine, Gittelsohn & Partners,
LLP

BY: 

~~Applicant~~

EXEC-CORP

BY: Peter Vonn

XI. ZBA Action:

(a) Public Hearing date: _____

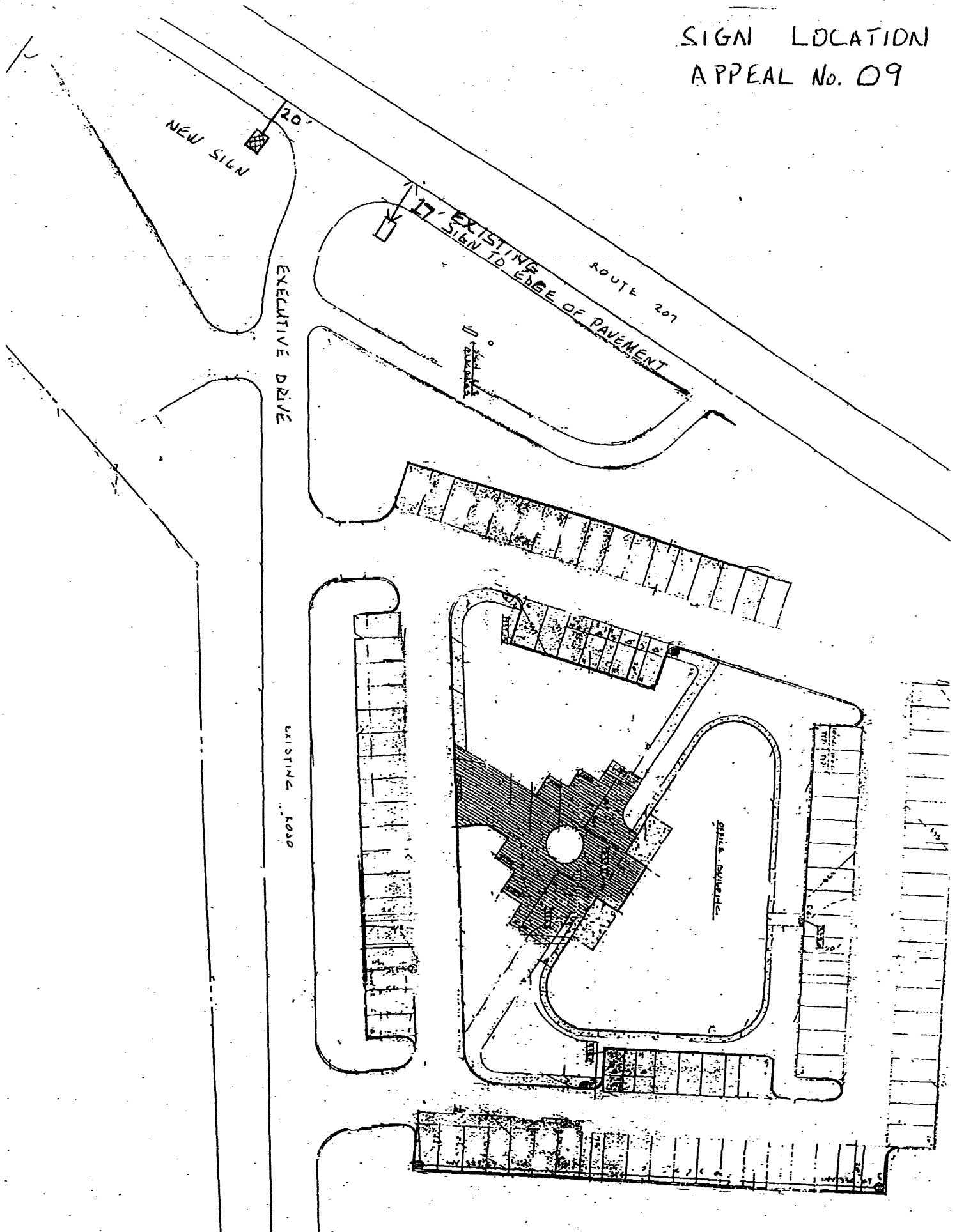
(b) Variance: Granted (____) Denied (____)

(c) Restrictions or conditions: _____

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

SIGN LOCATION
APPEAL No. 09





Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

Assessors Office

March 31, 2000

5

Finkelstein, Levine, ETAL
436 Robinson Avenue
Newburgh, NY 12550
Attn: Joseph Rones

Re: Execucorp

Re: 4-3-2.221

Dear Mr. Rones:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$25.00, minus your deposit of \$25.00.

There is no further balance due.

Sincerely,

Leslie Cook
Sole Assessor

LC/lrd
Attachments

CC: Pat Barnhart, ZBA

Newburgh Water Supply
C/o City Comptroller
City Hall
Newburgh, NY 12550

State of New York
Office of Comptroller
Bureau of Financial Administration
C/o Colin Campbell
5th Floor, A.E. Smith Building
Albany, NY 12236

Enap, Inc.
121 Executive Drive
New Windsor, NY 12553

HZ DevelopmentPartners
C/o Helmer-Cronin
Construction Inc.
27 Rte 210
Stony Point, NY 10980

HZ Development Partners
65 Wembly Road
New Windsor, NY 12553